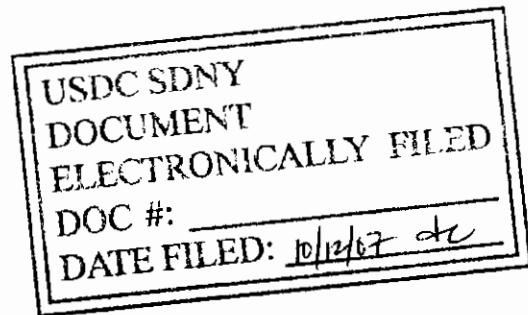




U.S. Department of Justice

United States Attorney
Southern District of New YorkThe Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 27, 2007

BY FACSIMILEHonorable Barbara S. Jones
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007Re: United States v. Albert Rivera,
07 Cr. 912 (BSJ)

Dear Judge Jones:

Enclosed please find Indictment 07 Cr. 912 (BSJ), which was assigned to Your Honor yesterday. The Indictment charges the defendant, Albert Rivera, in three counts with (1) participating in a narcotics conspiracy, (2) distributing and possessing with intent to distribute cocaine, and (3) being a felon in possession of a firearm. The defendant was previously presented on a complaint (07 Mag. 1010) before Magistrate Judge Eaton on June 23, 2007.

Arraignment and the first pre-trial conference is scheduled for Friday, October 5 at 3:30 p.m. before Your Honor. The Government respectfully requests that time be excluded until that time in order for the Government to begin collecting discovery and for both parties to continue discussing a possible disposition of this case. Defense counsel Jennifer Brown, Esq., has no objection to this request.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:

Marissa Molé
Assistant United States Attorneys
(212) 637-2275

cc: Jennifer Brown, Esq.

Encl.

Application granted. In the interest of justice for the reasons stated above, speedy trial time is excluded from September 28, 2007 to October 5, 2007 pursuant to 18 U.S.C. § 3161(h)(8)(A).

SO ORDERED
Dated:
BARBARA S. JONES
U.S.D.J.
10/11/07